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IFW

CASE LA24A NP

1617

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Joseph C. Wang  
Type or print name

*Joseph C. Wang*  
Signature

March 7, 2006  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1617

ROBL ET AL.

Examiner: Shengjun Wang

APPLICATION NO: 09/391,053

FILED: SEPTEMBER 7, 1999

FOR: METHOD FOR TREATING DIABETES EMPLOYING AN AP2  
INHIBITOR AND COMBINATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION TO CORRECT INVENTORSHIP

UNDER 37 CFR §1.48(a)

Sir:

This is a petition to add

**Gokhan Hotamisligil**

as an inventor of the above-identified patent application. The correct inventors should be **Jeffrey A. Robl, Scott A. Biller, Bruce L. Jacobson, Rex A. Parker, Haris Jamil, Krishna Kodukula, and Gokhan Hotamisligil.**

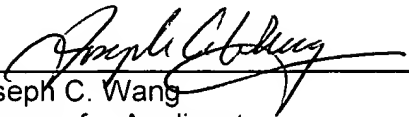
In support of this petition, the following documents are included herewith:

- 1) Statement of Inventor to be Added and Written Consent of Assignee;
- 2) A newly executed Declaration including all of the inventors;
- 3) A copy of Assignment Recordation Document dated September 7, 1999; and
- 4) A copy of the Assignment document submitted on September 7, 1999.

Please charge Deposit Account No. 19-3880 for the requisite fee under §1.17(l) for the Petition.

Respectfully submitted,

Bristol-Myers Squibb Company  
Patent Department  
P.O. Box 4000  
Princeton, NJ 08543-4000  
(609) 252-4931

  
\_\_\_\_\_  
Joseph C. Wang  
Attorney for Applicants  
Reg. No. 44,391

Date: *March 7, 2006*

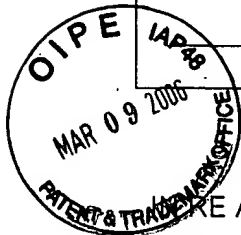
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Joseph C. Wang  
Type or print name

*Joseph C. Wang*  
Signature

March 7, 2006  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE APPLICATION OF

ROBL ET AL.

APPLICATION NO: 09/391,053

FILED: SEPTEMBER 7, 1999

FOR: METHOD FOR TREATING DIABETES EMPLOYING AN AP2  
INHIBITOR AND COMBINATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT OF INVENTORS FOR CORRECTION OF  
INVENTORSHIP UNDER 37 CFR §1.48(a)(2)

Sir:

1. Now comes Gokhan Hotamisligil who deposes and say that his name was erroneously excluded as a joint inventor of the above-identified application and he contributed to inventive aspects of the present invention claimed therein. This error occurred without deceptive intent.
2. It is requested that Gokhan Hotamisligil be added as an inventor of the above-identified application. Thus, the inventorship of the above-identified application should be changed from Jeffrey A. Robl, Scott A. Biller, Bruce L. Jacobson, Rex A. Parker, Haris Jamil and Krishna Kodukula to Jeffrey A. Robl, Scott A. Biller, Bruce L. Jacobson, Rex A. Parker, Haris Jamil, Krishna Kodukula and Gokhan Hotamisligil.
3. The Commissioner is authorized to charge the fee of \$130.00, set forth under 37 CFR §1.17(i), and any additional fees that may be required to Account No. 19-3880.
4. The undersigned Petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information or belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC §1001 and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

5. Further, the deponent saith not.

Date: 10/12/05

  
Gokhan Hotamisligil

**CONSENT OF ASSIGNEE UNDER 37 CFR §1.48(a)**

6. Petitioners, Bristol-Myers Squibb Company, and The Presidents and Fellows of Harvard College, are the owners of the entire right, title and interest in and to the invention claimed and disclosed in the above-identified application by virtue of assignment. Petitioners hereby consent to a change in inventorship in the above-identified application from Jeffrey A. Robl, Scott A. Biller, Bruce L. Jacobson, Rex A. Parker, Haris Jamil and Krishna Kodukula to Jeffrey A. Robl, Scott A. Biller, Bruce L. Jacobson, Rex A. Parker, Haris Jamil, Krishna Kodukula and Gokhan Hotamisligil.



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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Joseph C. Wang  
Type or print name

*Joseph C. Wang*  
Signature

March 7, 2006  
Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

ROBL ET AL.

APPLICATION NO: 09/391,053

FILED: SEPTEMBER 7, 1999

FOR: METHOD FOR TREATING DIABETES EMPLOYING AN AP2  
INHIBITOR AND COMBINATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUBMISSION OF SUBSTITUTE DECLARATION

Sir:

Applicants hereby submit a Substitute Declaration for the above-captioned matter.

The Commissioner is hereby authorized to charge the \$130.00 fee under 37 CFR § 1.17(i) and any additional fees that may be required, or credit any overpayment, to Account No. 19-3880 in the name of Bristol-Myers Squibb Company. An additional copy of this paper is enclosed.

Respectfully submitted,

Bristol-Myers Squibb Company  
Patent Department  
P.O. Box 4000  
Princeton, NJ 08543-4000  
609-252-4931  
Date: March 7, 2006

*Joseph C. Wang*  
Joseph C. Wang  
Attorney for Applicants  
Reg. No. 44,391



**CERTIFICATION UNDER 37 CFR §3.73(b)**

I, the undersigned, certify that I am an individual empowered to act on behalf of the  
Proprietor, Bristol-Myers Squibb Company, a corporation, the joint assignee of the entire right, title  
and interest of the above-identified application by virtue of an Assignment from the inventors of the  
application. I further certify that the Assignment has been recorded in the U.S. Patent and  
Trademark Office at Reel No. 010229, Frame 0946, on 09/07/1999, that I have reviewed that  
Assignment recorded at the reel and frame, and that to the best of my knowledge and belief, title is  
in the above-noted assignee.

I further declare that all statements made herein of my own knowledge are true and that all  
statements made on information and belief are believed to be true; and further that these  
statements were made with the knowledge that willful false statements and the like so made are  
punishable by fine or imprisonment, or both, under 18 USC §1001 and that such willful false  
statements may jeopardize the validity of this application or any patent issuing thereon.

Date: March 6, 2006

Maureen P. O'Brien  
Maureen P. O'Brien, Senior Patent Counsel  
Reg. No. 42,043

Bristol-Myers Squibb Company  
Patent Department  
P.O. Box 4000  
Princeton, NJ 08543-4000  
609-252-5286



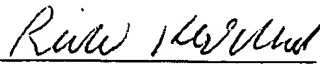
### CERTIFICATION

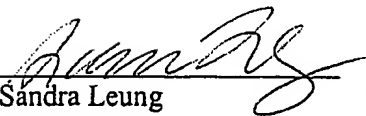
The undersigned, being the Senior Vice President and General Counsel of Bristol-Myers Squibb Company, hereby designates:

Suzanne E. Babajko  
Briana C. Bergen  
John M. Kilcoyne  
Maureen P. O'Brien  
Richard P. Ryan  
Louis Wille  
Anastasia Winslow

(a) to present to the Patent, Trademark, Copyright and similar Government Offices of all countries or to any competent authority, all original, divisional, continuation and reissue applications, petitions and requests in the name of Bristol-Myers Squibb Company and its subsidiary companies, for letters patent for inventions, utility models, industrial models and designs and improvements or additions thereof, trademarks and copyrights; (b) to initiate and prosecute oppositions and appeals; (c) to appear before all officers duly authorized, all Ministers, Bureaus, Clerk's Offices and Commissions or Commissioners that may be necessary; (d) to sign and approve on behalf of this corporation all documents and powers of attorney which judgment of the authorized individuals may be necessary or desirable to carry out the powers hereby conferred; (e) to request all proceedings; (f) to pay over or withdraw all taxes, obtain receipts therefor and give discharge; (g) to withdraw applications and all documents relating thereto; (h) to commence proceedings against infringers and assure the defense in infringement actions; and (i) generally to do all that in the judgment of the authorized individual may be necessary to secure granting of the privileges above-mentioned.

IN WITNESS WHEREOF, I have placed my hand and caused the seal of the Company to be affixed hereto on this 10th day of January 2006.

  
Richard K. Willard  
Senior Vice President  
and General Counsel

  
Sandra Leung  
Corporate Secretary



Case LA24A NP

SUBSTITUTE

DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATIONS

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,  
and

I believe I am an original, first and joint inventor of the subject matter which is claimed  
and for which a patent is sought on the invention entitled

**METHOD FOR TREATING DIABETES EMPLOYING AN AP2  
INHIBITOR AND COMBINATION**

the specification of which was filed on September 7, 1999 as U.S. Application No. 09/391,053.

I hereby state that I have reviewed and understand the contents of the above identified  
specification, including the claims.

I acknowledge my duty to disclose all information which is known by me to be material to  
the patentability of this application as defined in 37 C.F.R. §1.56.

I hereby claim the benefit under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign  
application(s) for patent or inventor's certificate listed below and under 35 U.S.C. §365(a) of any  
PCT international application(s) designating at least one country other than the United States  
listed below and have also listed below any foreign application(s) for patent or inventor's  
certificate or any PCT international application(s) designating at least one country other than the  
United States for the same subject matter and having a filing date before that of the application  
the priority of which is claimed for that subject matter:

None

I hereby claim the benefit under 35 USC §119(e) of any United States provisional  
application(s) listed below:

Application No.

Filing Date

60/100,677

September 17, 1998



I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and under 35 U.S.C. §365(c) of any PCT international application(s) designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in said prior application(s) in the manner required by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose all information known by me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

None

I hereby appoint the attorneys and agents associated with **Customer No. 23914**, respectively and individually, as my attorneys and agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all communications to the address associated with **Customer No. 23914**, which is currently Stephen B. Davis, Bristol-Myers Squibb Company, Patent Department, P.O. Box 4000, Princeton, NJ 08543-4000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FIRST JOINT INVENTOR:

Full name : Jeffrey A. Robl

Signature :

A handwritten signature in black ink, appearing to read 'Jeffrey A. Robl', written over a horizontal line.

Date :

September 12, 2005

(MM/DD/YY)

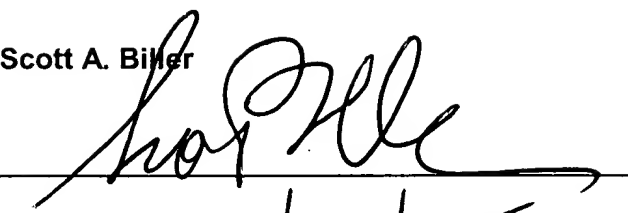
Citizenship : United States of America

Residence : Newtown, Pennsylvania

P.O. Address : 7 Tulip Drive  
Newtown, Pennsylvania 18940

SECOND JOINT INVENTOR:

Full name : Scott A. Biller

Signature : 

Date : 09/03/05  
(MM/DD/YY)

Citizenship : United States of America

Residence : Lexington, Massachusetts

P.O. Address : 26 Fletcher Avenue  
Lexington, Massachusetts 02420

THIRD JOINT INVENTOR:

Full name : **Bruce L. Jacobson**

Signature : 

Date : 09/09/05  
(MM/DD/YY)

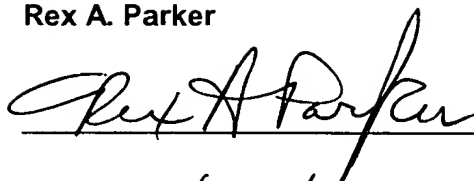
Citizenship : United States of America

Residence : Carlsbad, California

P.O. Address : 2934 Avenida Pimentera  
Carlsbad, California 92009

FOURTH JOINT INVENTOR:

Full name : Rex A. Parker

Signature : \_\_\_\_\_

Date : 09/06/2005  
(MM/DD/YY)

Citizenship : United States of America

Residence : Titusville, New Jersey

P.O. Address : 147 Church Road  
Titusville, New Jersey 08560

FIFTH JOINT INVENTOR:

Full name : **Haris Jamil**

Signature : 

Date : 08/23/2005  
(MM/DD/YY)

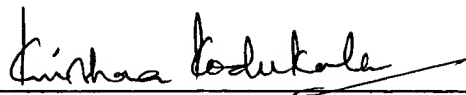
Citizenship : United States of America

Residence : Libertyville, Illinois

P.O. Address : 1216 Trinity Place  
Libertyville, Illinois 60048

SIXTH JOINT INVENTOR:

Full name : **Krishna Kodukula**

Signature : 

Date : 08.20.2005  
(MM/DD/YY)

Citizenship : United States of America

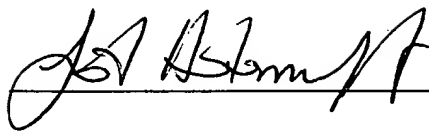
Residence : Princeton, New Jersey

P.O. Address : 33 Douglass Drive  
Princeton, New Jersey 08540

SEVENTH JOINT INVENTOR:

Full name : **Gokhan Hotamisligil**

Signature :



Date :

10/12/05

(MM/DD/YY)

Citizenship : United States of America

Residence : Wellesley, MA 02482

P.O. Address : 26 Halsey Avenue  
Wellesley, MA 02482